

Remarks:

Applicants appreciatively acknowledge the Examiner's confirmation of receipt of Applicants' claim for priority and certified priority document under 35 U.S.C. § 119(a)-(d).

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 11 - 25 are presently pending in the application. Claims 11 and 16 have been amended. Claims 1 - 10 were previously canceled by preliminary amendment. New claims 21 - 25 have been added.

In item 3 of the above-identified Office Action, claim 11 was objected to on the basis of an informality. Claims 12 - 15 were objected to as being dependent from the objected to claim 11. The Examiner's suggested correction has been made.

In item 5 of the Office Action, claims 11 - 20 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U. S. Patent No. 6,853,291 to Aisa ("**AISA**"), in view of U. S. Patent Application Publication No. 2006/0031488 to Swales ("**SWALES**").

Applicants respectfully traverse the above rejections.

More particularly, Applicants have amended claim 11 to recite,
among other limitations:

transmitting a reply signal from the domestic appliance to the bus line controller if the communication connection exists between the domestic appliance and the bus line controller, an absence of the reply signal being interpreted as an interruption of the communication connection with the domestic appliance resulting in a performance of a search operation for the domestic appliance, the search operation including the steps of:

broadcasting a general interrogation signal from the bus line controller over the bus line configuration until the reply signal is received from the domestic appliance again; [emphasis added by Applicants]

Similarly, Applicants' claim 16 has been amended to recite,
among other limitations:

said bus line controller containing an evaluation device configured such that, in an absence of the reply signal, said evaluation device providing a message signal indicating an interruption of the communication connection to the domestic appliance, and said bus line controller being constructed so that in response to the message signal, said bus line controller carries out a search operation for the domestic appliance wherein **said bus line controller broadcasts a general interrogation signal over the bus line configuration until the reply signal is obtained from the domestic appliance again,** and said bus line controller is further constructed such that said bus line controller then allows information corresponding to a then valid current appliance status to be received. [emphasis added by Applicants]

As such, Applicants' amended claims 11 and 16 require, among other things, **that the bus line controller executes a search operation for a non-responsive domestic appliance located on**

the bus line configuration by broadcasting a general interrogation signal over the bus line configuration until the reply signal is again obtained from the domestic appliance.

The above amendments to claims 11 and 16 are supported by the specification of the instant application, for example, by Figs. 1 and 2 of the instant application, and by paragraph [0037] of the instant application, which states:

Thereupon, a search S for the relevant domestic appliance HG takes place in the local area network LAN shown in FIG. 1. This search which can take place cyclically like the previously mentioned inquiry, every minute for example, is continued until there is a reply A from the relevant domestic appliance HG. **At this point, it should be noted that a general inquiry signal BS (broadcast signal in English) is sent out by the bus line controller BM in the course of the aforementioned search** whereby, for example, by including the appliance number of the domestic appliance HG which has "been lost" to a certain extent, this appliance is searched for quite specifically and until the searched-for domestic appliance HG answers after the interruption U has been lifted. [emphasis added by Applicants]

In contrast to Applicants' claimed invention, the prior art cited in the Office Action does **not** teach or suggest, among other limitations, **executing a search operation for a non-responsive domestic appliance located on a bus line configuration by broadcasting a general interrogation signal over the bus line configuration until the reply signal is again obtained from the domestic appliance**, as required by Applicants' claims 11 and 16.

Pages 4 and 8 of the Office Action acknowledge that, among other limitations of Applicants' claims, the **AISA** reference does not teach or suggest executing a search operation for the domestic appliance by transmitting a general interrogation signal from the bus line controller to the domestic appliance until the reply signal is again received from the domestic appliance, as required by Applicants' former claims 11 and 16. Rather, the Office Action points to the **SWALES** reference as allegedly curing the above-noted deficiency of the **AISA** reference. In particular, page 5 of the Office Action points to the ARP request 210 of **SWALES** as allegedly corresponding to Applicants' transmitted general interrogation signal and the ARP response 230 of **SWALES** as allegedly being analogous to a reply signal. Applicants respectfully disagree.

More particularly, Applicants' amended claims 11 and 16 require, among other things, **executing the search operation by broadcasting the general inquiry signal over the bus line configuration**. In contrast to Applicants' invention of claims 11 and 16, the **SWALES** reference specifically teaches **not** to broadcast the ARP request 210 of **SWALES**. Rather, the principal of operation set forth in the **SWALES** reference requires the ARP request 210 of **SWALES** to be a **unicast**, and **not** a **broadcast**. See, for example, paragraph [0112] of **SWALES** ("In this embodiment, the supervisor 200 **issues an ARP request**

(**unicast**) 210 to inquire the MAC address of the selected IP address"). In fact, **SWALES** specifically teaches the desirability of unicasting the ARP request 210 of **SWALES**, and definitively teaches away from broadcasting such a request. For example, paragraph [0114] of **SWALES** states:

The normal use of ARP request messages is to inquire the MAC address of a target whose MAC address is not known but whose IP address is known. In order to send a unicast message the sender must designate the MAC address of the target. **The use of unicast ARP requests during the repetitive `poll` of the device confirm whether the device is still alive. The choice of a unicast rather than a broadcast for this interrogation is important in large networks to avoid excessive use of broadcast traffic** that will be perceived as needless interruption by all other stations.
[emphasis added by Applicants]

As can be seen, the **SWALES** reference specifically teaches that the choice of **unicast rather than a broadcast for this interrogation is important in large networks**. Thus, any attempts to modify the teachings of **SWALES** to provide the ARP requests of **SWALES** as a **broadcast**, rather than a **unicast**, would impermissibly destroy the very clear teachings of the **SWALES** reference. M.P.E.P. § 2143.01(VI) states that a proposed modification cannot alter the principles of operation of a reference. See, for example, M.P.E.P. § 2143.01(VI) ("If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious").

Changing the system of **SWALES** to execute a search operation by **broadcasting** an ARP request, instead of unicasting, would fundamentally change the principles of operation of the **SWALES** reference and destroy the teachings of that reference.

Thus, it can be seen that the **AISA** and **SWALES** references fail to teach or suggest the invention of Applicants' amended claims 11 and 16. Further, it can be seen that any attempt to modify **SWALES** and **AISA** to cover Applicants' claimed invention, would impermissibly destroy the teachings of, and operation of, the **SWALES** reference.

For the foregoing reasons, among others, Applicants' claims 11 and 16 are believed to be patentable over the **SWALES** and **AISA** references.

New claims 21 - 25 are additionally believed to be patentable over the **SWALES** and **AISA** references. More particularly, new claim 21 requires, among other limitations:

**transmitting information to the bus line controller
about a state of the domestic appliance;**

. . .

repeatedly requesting a specific fixed criterion of the domestic appliance over time by the bus line controller **if the information indicates a change in the state of the appliance;** [emphasis added by Applicants]

As such, Applicants' independent claim 21 requires, among other things, that information about a state of the domestic appliance be transmitted to the bus line controller, and that the bus line controller repeatedly requests the specific fixed criterion **if the information transmitted to the bus controller indicates a change in the state of the appliance**. The above-discussed limitations of Applicants' claim 21 are supported by the specification of the instant application, for example, by paragraphs [0010] - [0011] of the instant application, which state:

Finally, the bus line controller can then be **synchronised to the current states of the domestic appliance** being considered by information corresponding to the current status of the relevant domestic appliance at this time being transmitted to said controller.

Preferably both the requesting of the specific fixed criterion of said domestic appliance and said search operation are both carried out cyclically, for example, every minute. **Preferably, the respective appliance principal status, that whether the relevant domestic appliance is switched on or off is requested as the specific fixed criterion of said domestic appliance**. This means a particularly low interrogation loading of the local area network and the relevant bus line arrangement **since merely an ON status or OFF status is requested and a corresponding reply signal (for example, 1 or 0) is to be transmitted**. [emphasis added by Applicants]

Thus, the information transmitted in claim 21 **relates to a state of the domestic appliance**, wherein the bus line controller repeatedly requests the specific fixed criterion **if**

the information on the state of the domestic appliance
transmitted to the bus controller indicates a change in the
state of the domestic appliance. Additionally, Applicants'
new claim 21 requires, among other limitations:

transmitting a reply signal from the domestic
appliance to the bus line controller if the
communication connection exists between the domestic
appliance and the bus line controller, an absence of
the reply signal being interpreted as an interruption
of the communication connection with the domestic
appliance resulting in a performance of a search
operation for the domestic appliance, the search
operation including the steps of:

. . .

subsequently transmitting information
corresponding to a then valid current state of the
domestic appliance to the bus line controller.
[emphasis added by Applicants]

Thus, Applicants' claim 21 requires, among other things, that
a change in the state of the domestic appliance initiates the
repeated polling of the domestic appliance to obtain, as part
of a search operation, the then valid current **state** of the
domestic appliance. The prior art references cited in the
Office Action do not teach or suggest the above-limitations of
Applicants' new claim 21, among other limitations.

More particularly, **AISA** fails to teach or suggest, among other
limitations of Applicants' claim 21: 1) repeated polling of a
domestic appliance being triggered by a change in state of
the domestic appliance; and 2) the execution of a search

operation for a non-responding appliance, including the step of transmitting a current valid state of the formerly non-responding domestic appliance to the bus line controller.

Similarly, the **SWALES** reference also fails to teach or suggest, among other limitations of Applicants' claim 21, the information triggering the polling be a change in state of a domestic appliance, or that a search operation results in providing a current valid state of the domestic appliance to the bus line controller. Rather, paragraph [0115] of **SWALES**, pointed to on page 5 of the Office Action as allegedly disclosing the transmittal of further information corresponding to a then valid current status of the domestic appliance, states:

FIG. 7 shows the IP address assignment sequence to automatically issue an IP address to a target unit that was reset or power cycled, but otherwise previously running at that location. The target IP unit 220 automatically broadcasts a BOOTP request 400 to supply an IP address for the MAC address. The supervisor 200 receives the BOOTP broadcast and sends out an SNMP Findport request 410 to the managed switch 250, requesting the port number for the MAC address. The managed switch 250 responds with an SNMP Findport response 420 with the port number for the MAC address. In this example, the port number was 3 for the MAC address. The supervisor 200 checks if the MAC address was already associated with the IP address at that canonical location. If the MAC address matches the number which the supervisor 200 expected, the supervisor 200 issues a BOOTP response 430 and sends the IP address for the MAC address.

The transmission of an IP address for the MAC address, as disclosed in paragraph [0115] of **SWALES** does not teach or suggest, among other things, transmitting information of **a current valid state** of the formerly non-responding domestic appliance to the bus line controller, as required by Applicants' claim 21. Similarly, a change in the IP address for the MAC address of paragraph [0115] of **SWALES** did not trigger the repeated polling of a domestic appliance, as further required by Applicants' claim 21. Thus, the **IP** address of paragraph [0115] of **SWALES** is not a "state" of the domestic appliance, as required by Applicants' claim 21. As such, **SWALES**, like **AISA**, fails to teach or suggest, among other things, subsequently transmitting information corresponding to a then valid current state of the domestic appliance to the bus line controller during a search operation, as required by Applicants' claim 21.

For the foregoing reasons, among others, Applicants' new claims 21 - 25 are additionally believed to be patentable over the **SWALES** and **AISA** references, whether taken alone or in combination.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 11, 16 and 21. Claims 11, 16 and 21

are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 11, 16 or 21.

In view of the foregoing, reconsideration and allowance of claims 11 - 25 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemmer LLP, No. 12-1099.

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